

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: CW27165
CAPTION: School Health Nursing
PROPOSED CONTRACTOR: Children's National Medical Center, Inc.
PROGRAM AGENCY: Department of Health, Community Health Administration

FINDINGS

1. AUTHORIZATION:

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700 and 1701, 27 DCMR 2005.6(b)

2. MINIMUM NEED:

The Government of the District of Columbia, Office of Contracting and Procurement (OCP) on behalf of the Department of Health (DOH), Community Health Administration (CHA), seeks to contract with the Children's National Medical Center, Inc. (Contractor) to continue to provide the management and daily operations of the School Health Nursing (Program). The Program encompasses the management oversight of school nurses serving in approximately 165 public, public charters, and special need school sites in the District of Columbia. The Program provides school-based nursing services, health promotion education services, and care coordination services to students in the District of Columbia public and charter schools. Under the Program students learn about health issues, are screened for childhood diseases, are immunized, and are treated and/or referred for further treatments as may be needed.

Access to school health services for children provides critical early interventions to reduce the onset of preventable diseases and other health conditions, encourages chronic disease management and health education, and ultimately improves the health and well being of the entire community. The overall goal of the Program is to improve the general health and wellbeing of the children enrolled in District of Columbia public and charter schools through health promotion education and supervised nursing services and follow-up.

3. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for the Sole Source contract is \$17,000,000.00 with Period of Performance July 1, 2014 to June 30, 2015.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

In Fiscal Year 2013, in anticipation of the expiration of the current contract, the Office of Contracting and Procurement (OCP) together with DOH and the DC Public Schools developed a Request for Proposals (RFP) to make an award through a competitive bidding process. However, the proposals received in response to the Request for Proposals that was posted on OCP's E-Sourcing Website was cancelled because the prices submitted by the prospective offerors far exceeded DOH's budget. This feedback on pricing information from the vendor community was a tool of market survey and benchmark to compare current requirements and the price currently being paid for such services. Therefore, there is a need to establish another Sole Source contract with Period of Performance July 1, 2014 to June 30, 2015. The Program Office in collaboration with Office of Contracting and Procurement (OCP) needs additional time to complete the assessment of the most appropriate way to obtain medical services based on the actual service requirements for the public and charter schools.

The incumbent contractor is willing to continue providing services at the same price currently being paid by the District. Children's National Medical Center has an abundant staffing level of highly skilled and competent nurses trained on various nursing procedures appropriate for school settings. The Contractor further uses an electronic health record system which is the electronic collection of health information about individual students and the student populations. The system provides a complete record of patient encounters that increases safety through evidence-based decision support, quality management, and outcomes reporting. The system complies with the Health Insurance Portability and Accountability Act (HIPAA) standards to protect student privacy and is utilized to retrieve data for federal reporting, promoting the District's credibility.

Given the new contract has not been executed, there remains a need for continuity of the School Health Nursing contract without interruption to ensure the health and safety of school students. Acquiring services from another provides would require an estimated 90 (ninety) day transition period. The Contractor has been providing services since 2006 and has been rated satisfactory by the program on its performance evaluation.

Public Notice of OCP's intent to award a Sole Source contract was posted to our website for 10 calendar days pursuant to the requirements of OCP Policy 3000. The posting was submitted to OCP's website on February 25, 2014.

5. CERTIFICATION BY AGENCY HEAD:

I hereby certify that the above findings are true, correct and complete.

Date

Joxel Garcia, MD, MBA
Director,
Department of Health

6. CERTIFICATION BY CONTRACTING OFFICER:

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Callie Byrd-Williams
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under a specific citation to section 404 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-354.04 (2011 Repl.)) (Act) and applicable provisions of this chapter that provide legal authority for the sole source procurement", 27 DCMR 1700.2(f). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer

INSTRUCTIONS FOR THE D & F FOR A SOLE SOURCE PROCUREMENT

1. AUTHORIZATION

D.C. Official Code §2-354.04; There is only one source for the required goods or services. Cite 27 DCMR 1304 and 27 DCMR 1700 and 1701 as applicable.

2. MINIMUM NEED

Describe the program agency's requirement for a stated minimum need (scope of work) and time frame within which work must be performed. List in detail the precise nature and scope of the services or supplies required. The time frame must be justified in detail when sole source justification is time based.

3. ESTIMATED REASONABLE PRICE

The estimated price of the contract (the amount the contractor is anticipated to receive).

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT

Indicate the facts which establish that there is only one available source. You **must** include the unique nature of the proposed procurement, the proposed contractor's unique qualifications or any other factors that qualify the proposed contractor as a sole source for the procurement.

You **must** include a description of the market survey or the reason why a market survey was not conducted.

You **must** include a list of the potential sources that you contacted, and if none a discussion of why not. Discuss which potential sources expressed an interest in the procurement and describe their interest and why they were rejected.

5. CERTIFICATION BY AGENCY HEAD

The head of the program agency, by signature, certifies factually the findings.

6. CONTRACTING OFFICER CERTIFICATION

The contracting officer, by signature, certifies (1) factually the findings and recommends that an official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified, and (2) that the notice of intent to award a sole source contract was published and that no viable response was received. The contracting officer must state that either no response was received or briefly explain why a response was not viable.

7. DETERMINATION

An official with written delegated authority determines, by signature, that the use of the sole source procurement method is justified. The Chief Procurement Officer, or an official delegated authority in writing to sign on behalf of the Chief Procurement Officer, must sign the determination if the procurement is in excess of five thousand dollars (\$5,000).

**INSTRUCTIONS FOR THE D & F FOR A
SOLE SOURCE EXTENSION OR RENEWAL PROCUREMENT**

Use the same D&F template with the following changes:

1. Replace the heading with:

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE EXTENSION OF
CONTRACT**

2. Replace the Authorization with:

1. **AUTHORIZATION:**

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700, 1701 and 2005.6(b)